



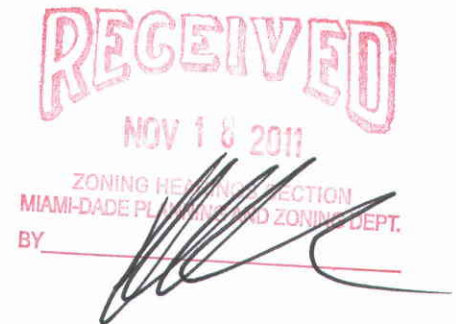
GUTIERREZ & LOZANO
ARCHITECTS, P.A.

2830 W SR-84 SUITE 117
FORT LAUDERDALE FL. 33312

Tel: (954)3213442 Fax: (954)3213864

November 18, 2011

Mr. Damon A. Holness
Miami-Dade Department of Planning and Zoning
Miami-Dade County
111 N.W. First Street – 11th Floor
Miami, Florida 33130



**RE: Miami Gardens Commons, LLC Public Hearing Application No. Z2011-077
("Application"); Amended Letter of Intent**

Dear Mr. Holness:

As you are aware we are the agent of record for Miami Gardens Commons, LLC ("Applicant"), with respect to the above-captioned Application. Please accept this Amended Letter of Intent that will supplement and clarify our previous Letter of Intent submitted in connection with the Application dated June 7, 2011. The enclosed revised site plan prepared by our office and dated last revised ~~October 12, 2011~~ ^{Nov 21, 2011} ("Revised Site Plan"), reflects our request for the following additional Non-Use Variances to the Miami-Dade County Code of Ordinances ("County Code") to allow the site to accommodate an ITT Technical Institute ("Proposed Use"):

1. Waiver of the outdoor recreation/play area requirement in Section 33-151.18(a) of the County Code.

Our reading of this "physical standard" requirement suggests that it only applies to pre-schools, elementary schools, and other secondary schools; not the type of higher education facility such as the Proposed Use. The Proposed Use is a post-secondary college that offers only associate and bachelor degrees that are authorized by the State of Florida and accredited by an agency recognized by the United States Department of Education. Individuals attending the Proposed Use will be post-secondary degree seeking students and none of the Proposed Use's curriculum is "outdoor" dependent.

2. Waiver of the auto stacking requirement in Section 33-151.18(c) of the County Code.

Our reading of this requirement also suggests that it is more applicable to pre-schools, elementary schools, and other secondary schools where the students are compelled to attend according to a strict schedule, and where all students arrive and leave the premises at the same time. In those situations, the students are not usually of legal age to drive and may need to be transported to and from the facility by an adult. That would not be the situation with the Proposed Use. Rather, the vast majority of the faculty and student body of the Proposed Use will use their own vehicles or public

transportation travel to and from its location at different hours throughout the day and evening. Therefore, the underlying purpose of the automobile stacking requirement – dropping off and picking up children that do not drive or use public transportation – does not apply to the Proposed Use. It should also be noted the Proposed Use will comply with the all applicable parking requirements of the County Code.

3. Waiver of the classroom size requirement in Section 33-151.18(e) of the County Code.

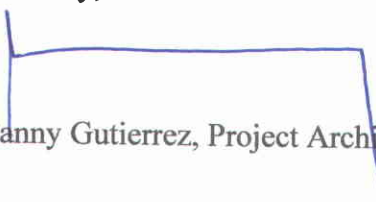
The Proposed Use is unique in that it will not have standardized classrooms in the traditional sense. Because its curriculum offerings lead to either an associates or bachelors degree and are designed to help its students begin to prepare for career opportunities in various fields (see attached descriptions), the size of a particular classroom is designed to accommodate a multitude of programmatic offerings. Stated differently, the classrooms will be designed to be flexible and multifunctional in order to accommodate the demands of the student body at any given time. Additionally, the design standards for this facility are the same as those used in over 130 other ITT Technical Institutes already in operation in 38 states. Having been actively involved in the higher education community since 1969, ITT's facilities have been proven over the years to be more than sufficient for the needs of its student population.

Please note that the areas shown on Sheet A-1.2 (Second Floor) of the Revised Site Plan reflect the maximum potential build out of the Proposed Use to accommodate possible future growth of the Proposed Use's student body. Also, the total number of students will not exceed the capacity load of the building or the parking requirements in the County Code.

All of the requested Non-Use Variances maintain the intent and purpose of the underlying BU-2 zoning of the property (Limited Business District) in that the Proposed Use is a specialized service facility intended to serve the needs of the surrounding area and will not adversely affect the stability or appearance of the community, or otherwise be detrimental to the community. Except for the aforementioned variance requests and requested Site Plan clarifications (signage and classroom sizes), there are no substantive modifications to the previously submitted plans.

In summary, we are asking for three (3) additional Non-Use Variances to accommodate a Proposed Use that will generate approximately forty (40) new jobs in the community. The Proposed Use would also be a boost to surrounding businesses and property owners by creating a base of student customers. We respectfully request your favorable review of the Application as amended herein. If you have any questions regarding the enclosed, please do not hesitate to contact me.

Sincerely;



Manny Gutierrez, Project Architect

DESCRIPTION OF PROPOSED USE

Who we are

ITT Educational Services, Inc. is a leading private college system focused on technology-oriented programs of study. It operates ITT Technical Institutes in 42 states and predominantly provides career-focused degree programs to approximately 70,000 students. Headquartered in Carmel, Indiana, it has been actively involved in the higher education community in the United States since 1969.

Basic Description of Operations

Students attend classes year-round with convenient breaks provided throughout the year. Typically ITT will run three class sessions each day Monday through Friday and one or two class sessions on Saturday, depending on student enrollment. Weekday class sessions are usually between 8:00 AM and 12:00 PM, 1:00 PM and 5:00 PM and 6:00 PM and 10:00 PM. This class schedule offers students flexibility to pursue part-time employment opportunities.

Accreditation

Each ITT Technical Institute is either authorized or licensed by the state in which it is located and is accredited by or in the process of seeking accreditation from an accrediting agency recognized by the U.S. Department of Education. All ITT Technical Institutes (except in some instances the most recently opened institutes) are eligible to participate in the federal student financial aid programs authorized under Title IV of the Higher Education Act of 1965, as amended, and as administered by the U.S. Department of Education.

Additional Facts

According to U.S. Department of Education data, all of the ITT Technical Institutes combined granted the largest percentage (14.7 percent) of the total number of associate and bachelor degrees awarded in the U.S. in electronics and electronics-related programs in the 2000-2001 school year (the latest year for which statistics are available). All of the ITT Technical Institutes combined also granted the largest share (22.6 percent) of the total number of associate's and bachelor's degrees awarded in the U.S. in drafting programs during the same period.

Schools of Study

The six schools at the ITT Technical Institutes include the School of Information Technology, School of Drafting and Design, School of Electronics Technology, School of Business, School of Criminal Justice, and School of Health Sciences. Most ITT Technical Institute programs of study blend traditional academic content with applied learning concepts, with a significant portion devoted to practical study in a lab environment. Advisory committees, comprised of representatives of local businesses and employers, help each ITT Technical Institute periodically

assess and update curricula, equipment and laboratory design. When students enroll at ITT they commit to either an Associates Degree, Bachelors Degree or Masters Degree program. Students are not permitted to enroll in single classes.

Schools of Study

Not all ITT Technical Institutes have all six schools of study. Specific program offerings are tailored to meet the needs of the local population being served. The following, however, represent the possible programs of study for an ITT Technical Institute.

School of Information Technology

The School of Information Technology focuses on providing a broad-based foundation in information technology (IT) and on helping students develop skills and knowledge in technical areas with practical value in the workplace. In addition to technical knowledge, many IT workers need to be able to communicate, handle multiple tasks at once and assess user needs when developing computer-based solutions. Curricula in the School of Information Technology also teach problem solving, critical thinking, communication and teamwork skills. Most IT programs taught in residence offer practical applications of classroom theory in a lab environment, where students are encouraged to apply their classroom instruction. With a hands-on learning environment in most programs and convenient class schedules.

Bachelors Degree Programs include: Information Systems Security, Data Communication, Systems Technology, Software Engineering Technology, Project Management, and Software Applications Development.

Associates Degree Programs include: Information Technology - Computer Network Systems, Information Technology - Software Applications & Programming, Information Technology - Web Development, and Software Development Technology.

Online Programs include: BS - Information Systems Security, BS - Project Management, AAS - Information Systems Administration, and AAS - Computer Forensics.

School of Electronics Technology

The School of Electronics Technology at ITT Tech combines classroom theory and practical application in a laboratory environment. Not only has the rapid transmission of data become indispensable to many consumers and businesses, but most businesses also depend on complex electronic equipment for a variety of functions. Communications systems, automated equipment, machinery and safety systems all rely on electronic devices and systems. Individuals with the technical knowledge to help install, test, maintain and repair this equipment can be important to helping businesses remain productive.

Bachelors Degree Programs Include: Industrial Automation Engineering Technology, Electronics and Communication Engineering Technology.

Associates Degree Programs include: Computer and Electronics Engineering Technology



The School of Drafting and Design at ITT Tech combines classroom theory and practical application in a laboratory environment. The products we use and the structures in which we live and work start out as designs - from an electronic circuit to a video game to a house. Designs are typically represented in draft form to demonstrate how to construct the product. Drafting and design used to be separate tasks. Today, computer-assisted drafting and design software has made the two processes more interrelated. Programs in the School of Drafting and Design focus on using current tools of technology.

Bachelors Degree Programs include: Digital Entertainment and Game Design, Graphic Design, and Construction Management.

Associates Degree Programs include: Computer Drafting and Design, Information Technology - Multimedia, and Visual Communications.

Online Programs include: Construction Management, Construction Technology, and Web Design.



Men and women in business today face an ever-changing environment. The School of Business at ITT Tech can teach students about the impact of global markets, technology that sends information around the world instantly and a culturally diverse work force.

Bachelors Degree Programs include: Business Accounting Technology, Business Administration, and Technical Project Management.

Associates Degree Programs include: Business Accounting Technology, and Business Administration.

Online Programs include: Master of Business Administration, BS - Business Accounting Technology, BS - Financial Accounting Option, BS - Internal Controls Option, BS - Business Administration, BS - Finance Option, BS - Human Resources Management Option, BS - Marketing Option, BS - Marketing Management Option, BS - Project Management Option, BS -

Technical Project Management, AAS - Business Accounting Technology, AAS - Business Administration.

School of Criminal Justice

The School of Criminal Justice at ITT Tech focuses on offering programs that teach a balance of theory and application by integrating interpersonal skills and criminal justice subject matter. Programs in criminal justice teach the fundamentals of the criminal justice system and criminal justice skills as well as certain technical skills used in criminal justice. Each program offers a foundation in criminal law, legal procedures, criminal evidence and criminology. Areas of study include law enforcement, corrections and the courts.

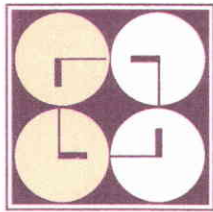
Bachelors Degree Programs include: Criminal Justice, and Criminal Justice - Cyber Security.

Associates Degree Programs include: Criminal Justice, Paralegal Studies.

Online Programs include: BS - Criminal Justice, BS - Criminal Justice - Cyber Security, AAS - Criminal Justice, AAS - Paralegal Studies.

School of Health Sciences

The ITT Technical Institute offers Associates Degree programs of study in nursing and health information technology.



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RECEIVED
211-077
JUL 06 2011

ZONING
MIAMI-DADE PLANNING AND ZONING DEPT.
BY _____

06/07/11

Miami-Dade County Department of Planning and Zoning
Attn: Community Zoning Appeals Board
HAND DELIVERED

RE: Miami Gardens Commons
5901 Miami Gardens Dr.
Miami, Florida, 33015

LETTER OF INTENT:

We are respectfully requesting a District Boundary Zone change from IU-C (existing zone) to BU-2 (requested zone) at the above-referenced property.

Our request is consistent with the Miami-Dade County Comprehensive Development Master Plan designated use for this property (business and office).

In addition, the plans for this Project were submitted for building permit and approved in 2006 clearly showing retail and office uses with signs. (Permit No. 2007-077748). With this application we are intending to legalize said previously approved uses.

The existing Project (consisting of one three story building with ground off-street parking) complies with the setbacks, heights, lot size, lot width, building size, landscaping, lot coverage, floor area ratio (FAR), and parking requirements of the BU-2 requested zone.

We are also requesting a Non-use Variance that will allow us not to have to build a 5' high masonry fence in our rear property line required in the BU-2 zone when abutting residential property. We have not done any additional exterior construction/improvements to the Project since it was completed in 2008. We don't want to do any additional construction/improvements that will impact the adjacent residential property.

Thanking you in advance for your consideration on this matter.

Sincerely:

Manny Gutierrez, Project Architect, Owner's Representative